SB CIVIL WRIT PETITION NO.4610/1993
S.L. Setia V/s State of Rajasthan & Ors.

26.7.2006

HON'BLE MR. JUSTICE P.S. ASOPA

Mr.Vijay Singh, for the petitioner.
Mr. O.P. Sharma,
Mr. H.V. Nandwana, Dy. GA, for the respondents.

By this writ petition, the petitioner has mainly challenged the order dated 6.8.1993 passed by respondent No.1 giving promotion to the post of Superintendent Engineer for the year 1992-93 &1993-94 and further sought the relief for his consideration against the vacancies of the year 1992-93 for the said post on merit basis.

The case of the respondents is that the petitioner's case was considered for both the years and he was not found fit, but in order to ensure the consideration of the petitioner, the record was called on 8.7.2006.

The record was perused by me and from perusal thereof, it is revealed that the name of the petitioner find place in the zone of consideration for the year 1992-93 at S.No.36 and for the year 1993-94 at S.No.18. From the minutes of the DPC, it appears that the case of the petitioner was considered for the year 1992-93 on merit basis and for the year 1993-94 on seniority cum merit as well as merit basis, but he was not found fit.

It has been stated by both the counsel that the petitioner has been subsequently selected against the vacancies of the year 1994-95 on seniority cum merit basis on the post of Superintending Engineer (Civil) on 23.1.1996.

I am of the view that there is no illegality in not promoting the petitioner against the vacancies of the year 1992-93 and 1993-94.

In view of above, the writ petition is dismissed.

(P.S. ASOPA) J.

ummed/-